

Robert A. Mittelstaedt (SBN 060359)
Jason McDonell (SBN 115084)
Elaine Wallace (SBN 197882)
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
Telephone: (415) 626-3939
Facsimile: (415) 875-5700
ramittelstaedt@jonesday.com
jmcdonell@jonesday.com
ewallace@jonesday.com

Tharan Gregory Lanier (SBN 138784)
Jane L. Froyd (SBN 220776)
JONES DAY
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: (650) 739-3939
Facsimile: (650) 739-3900
tglanier@jonesday.com
jfroyd@jonesday.com

Scott W. Cowan (Admitted *Pro Hac Vice*)
Joshua L. Fuchs (Admitted *Pro Hac Vice*)
JONES DAY
717 Texas, Suite 3300
Houston, TX 77002
Telephone: (832) 239-3939
Facsimile: (832) 239-3600
swcowan@jonesday.com
jlfuchs@jonesday.com

Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
TOMORROWNOW, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE USA, INC., et al.,

Plaintiffs,

v.

SAP AG, et al.,

Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DEFENDANTS' STATEMENT OF
NON-OPPOSITION TO RELIEF
SOUGHT IN PLAINTIFFS'
ALTERNATIVE MOTION TO FILE
STIPULATED AMENDED
COMPLAINT**

1 On July 15, 2009, Plaintiffs filed an Alternative Motion to File Stipulated Amended
2 Complaint (the "Alternative Motion"). Although Defendants disagree with many of the
3 characterizations contained in the Alternative Motion, including Plaintiffs' characterization of the
4 Alternative Motion as a "stipulated motion," per the parties' agreement as set forth in the June 11,
5 2009 Revised Case Management and Pretrial Order, Defendants do not oppose the relief sought in
6 the Alternative Motion. *See* Alternative Motion at 1; D.I. 325.

7 Dated: July 29, 2009

JONES DAY

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9 By: /s/ Tharan Gregory Lanier
10 Tharan Gregory Lanier

11 Counsel for Defendants
12 SAP AG, SAP AMERICA, INC., and
13 TOMORROWNOW, INC.
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